

## GOVERNOR'S REGULATORY REVIEW COUNCIL

This section of the *Register* contains information submitted for publication by the Governor's Regulatory Review Council, including the tentative agendas for the monthly Council meetings and summaries of action taken by the Council at the meetings.

### NOTICE OF PUBLIC MEETING AND AGENDA FOR DECEMBER 2, 2008

[M08-510]

Pursuant to A.R.S. § 38-431.02, notice is hereby given to members of the Governor's Regulatory Review Council and to the general public that the Governor's Regulatory Review Council will hold a regular meeting, open to the public on **Tuesday, December 2, 2008 at 9:00 a.m.** in the board room of the Arizona Peace Officer Standards & Training Board, 2643 E. University Drive, Phoenix, AZ. For additional information, call the Governor's Regulatory Review Council office at (602) 542-1967.

At its discretion, the Council may consider and act upon any agenda item out of order. Members of the Council may appear by telephone.

Under A.R.S. § 38-431.03(A)(3), the Governor's Regulatory Review Council may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on any item on the agenda.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting (602) 542-1967. Requests should be made as early as possible to allow time to arrange the accommodation.

A copy of the material provided to Council members (with the exception of material relating to possible executive sessions) is available for public inspection at the Council's office, located at 100 N. 15th Ave., Suite 402, Phoenix, AZ 85007.

The agenda for the meeting is as follows: (This agenda is subject to change up to 24 hours before the meeting.)

**A. CALL TO ORDER**

**B. DISCUSSION AND APPROVAL OF MINUTES**

1. November 4, 2008

**C. DISCLOSURE OF CONFLICTS OF INTEREST**

**D. CONSIDERATION AND APPROVAL OF FIVE-YEAR-REVIEW REPORTS:**

The Council will consider five-year reports filed under A.R.S. § 40-1056 and may approve or return the reports, in whole or in part. The Council may request information from the agency or members of the public.

**1. WATER QUALITY APPEALS BOARD (F-08-1201)**

Title 2, Chapter 17, Article 1, Appeals

**2. DEPARTMENT OF REVENUE (F-08-1202)**

Title 15, Chapter 4, Article 1, Property valuation; Article 2, Valuation of Mines; Article 3, Valuation of Airline Property; Article 4, Class Seven Limited Value and Assessment Ratio; Article 5, Valuation of Pipeline Companies

**3. DEPARTMENT OF PUBLIC SAFETY (F-08-1204)**

Title 13, Chapter 1, Article 1, Criminal History Records; Article 2, ACJIS Network; Article 3, Arizona Crime Statistics; Article 4, Applicant Fingerprinting Process; Article 5, Department Records

**4. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)(F-08-1205)**

Title 9, Chapter 22, Article 21, Trauma and Emergency Services Fund

**5. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)(F-08-1206)**

Title 9, Chapter 31, Article 11, Civil Monetary Penalties and Assessments

**6. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)(F-08-1207)**

Title 9, Chapter 28, Article 10, Civil Monetary Penalties and Assessments

7. **ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)(F-08-1208)**

Title 9, Chapter 22, Article 11, Civil Monetary Penalties and Assessments

8. **GAME AND FISH COMMISSION (R-08-1209)**

Title 12, Chapter 4, Article 1 Definitions and General Provisions

E. **CONSIDERATION AND APPROVAL OF RULES:**

The Council will consider rule packages filed under A.R.S. § 40-1052 and may approve or return the packages, in whole or in part. The Council may request information from the agency or members of the public.

1. **BOARD OF NURSING (R-08-1001)**

Title 4, Chapter 19, Article 1, Definitions and Time-frames; Article 4, Regulation; Article 5, Advanced and Extended Nursing Practice; Article 8, Certified Nursing Assistants

**Repeal:** R4-19-402

**Amend:** R4-19-101, R4-19-102, Table 1, R4-19-401, R4-19-403, R4-19-404, R4-19-509, and R4-19-814

**New Section:** R4-19-402 and R4-19-405

2. **STATE LAND DEPARTMENT (R-08-1201)**

Title 12, Chapter 5, Article 4, Sales

**Amend:** R12-5-408

3. **DEPARTMENT OF ECONOMIC SECURITY (R-08-1202)**

Title 6, Chapter 3, Article 18, Benefits

**Amend:** R6-03-1810

4. **BOARD OF BEHAVIORAL HEALTH EXAMINERS (R-08-1203)**

Title 4, Chapter 6, Article 3, Licensure; Article 8, License Renewal and Continuing Education

**Amend:** R4-6-305 and R4-6-801

5. **DEPARTMENT OF ENVIRONMENTAL QUALITY (R-08-1204)**

Title 18, Chapter 11, Article 1, Water Quality Standards for Surface Waters

**Repeal:** Table 1, Table 2, Table 3, Table 4, and Table 5

**Amend:** R18-11-101, R18-11-102, R18-11-107, R18-11-108, R18-11-109, R18-11-110, R18-11-111, R18-11-112, R18-11-113, R18-11-114, R18-11-116, R18-11-117, R18-11-118, R18-11-121, R18-11-122, R18-11-123, Appendix A, Table 7, Table 8, Table 9, Table 10, Table 11, Table 12, Table 13, Table 14, Table 15, Table 16, Table 17, Table 18, Table 20, Table 21, Table 22, Table 23, Table 24, Table 25, Table 26, and Appendix B

**New Section:** R18-11-107.01, R18-11-108.01, R18-11-108.02, R18-11-108.03, and R18-11-115

**New Table:** Table 1, Table 2, Table 3, Table 4, Table 5, Table 6, and Table 19

**New Appendix:** Appendix C

**Renumber:** Table 6, Table 9, Table 10, Table 11, Table 12, Table 13, Table 14, Table 15, Table 18, Table 19, Table 21, Table 22, Table 23, Table 24, Table 25, and Table 26

6. **DEPARTMENT OF HEALTH SERVICES (R-08-1205)**

Title 9, Chapter 6, Article 1, General

**New Section:** R9-6-103

7. **INDUSTRIAL COMMISSION OF ARIZONA (R-08-1206)**

Title 20, Chapter 5, Article 1, Workers' Compensation Practice and Procedure

**Amend:** R20-5-101

8. **ARIZONA CRIMINAL JUSTICE COMMISSION (R-08-1207)**

Title 10, Chapter 4, Article 4, Drug and Gang Enforcement Account Administrative Program

**Amend:** Article 4, R10-4-401, R10-4-403, R10-4-404, and R10-4-406

**Renumber:** R10-4-402, R10-4-403, R10-4-404, and R10-4-406

**New Section:** R10-4-402 and R10-4-405

- 9. DEPARTMENT OF TRANSPORTATION (R-08-1208)**  
Title 17, Chapter 8, Article 5, Electronic Fuel Tax Reporting  
**New Article:** Article 5  
**New Section:** R17-8-501, R17-8-502, R17-8-503, R17-8-504, R17-8-505, and R17-8-506
- 10. DEPARTMENT OF TRANSPORTATION (R-08-1209)**  
Title 17, Chapter 8, Article 4, Electronic Funds Transfers  
**New Article:** Article 4  
**New Section:** R17-8-401, R17-8-402, R17-8-403, R17-8-404, and R17-8-405
- 11. DEPARTMENT OF TRANSPORTATION (R-08-1210)**  
Title 17, Chapter 1, Article 4, Electronic Funds Transfer  
**Repeal:** Article 4, R17-1-401, R17-1-402, R17-1-403, R17-1-404, R17-1-405, R17-1-406, and R17-1-407
- 12. DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS (R-08-1211)**  
Title 8, Chapter 2, Article 7, Registration of Emergency Workers  
**New Article:** Article 7  
**New Section:** R8-2-701, R8-2-702, R8-2-703, and R8-2-704
- 13. DEPARTMENT OF PUBLIC SAFETY (R-08-1212)**  
Title 13, Chapter 9, Article 1, General Provisions; Article 2, Concealed-Weapons Permit: Application; Renewal; Responsibilities; Article 3; Firearms-Safety Training: Organizations and Instructors; Article 4, Certificate of Firearms Proficiency; Article 5, Leosa-Recognized Instructors; Article 6, Hearings and Disciplinary Proceedings  
**Amend:** R13-9-101, R13-9-102, R13-9-103, R13-9-104, Table 1, Article 2, R13-9-201, R13-9-202, R13-9-203, R13-9-204, R13-9-206, R13-9-208, R13-9-302, R13-9-305, R13-9-307, R13-9-308, R13-9-309, R13-9-310, R13-9-402, R13-9-403, R13-9-404, R13-9-501, R13-9-502, and R13-9-601
- 14. DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS (R-08-1213)**  
Title 8, Chapter 5, Article 1, Project ChalleNGe  
**New Article:** Article 1  
**New Section:** R8-5-101, R8-5-102, R8-5-103, R8-5-104, R8-5-105, and R8-5-106
- 15. DEPARTMENT OF ENVIRONMENTAL QUALITY (R-08-1214)**  
Title 18, Chapter 2, Article 6, Emissions From Existing and New Nonpoint Sources  
**Amend:** R18-2-608
- 16. DEPARTMENT OF HEALTH SERVICES (R-08-1215)**  
Title 9, Chapter 6, Article 1, General  
**Amend:** R9-6-102
- 17. DEPARTMENT OF HEALTH SERVICES (R-08-1216)**  
Title 9, Chapter 10, Article 2, Hospitals  
**Amend:** R9-10-201, R9-10-202, and R9-10-203  
**New Section:** R9-10-234
- 18. DEPARTMENT OF ENVIRONMENTAL QUALITY (R-08-1217)**  
Title 18, Chapter 5, Article 1, Classification of Water and Wastewater Facilities and Certification of Operators  
**Amend:** R18-5-105 and R18-5-109
- 19. DEPARTMENT OF ENVIRONMENTAL QUALITY (R-09-1218)**  
Title 18, Chapter 2, Article 2, Ambient Air Quality Standards; Area Designations; Classifications; Article 7, Existing Stationary Source Performance Standards  
**Repeal:** Appendix 10 and Appendix 11  
**Amend:** R18-2-216, R18-2-703, R18-2-708, R18-2-711, R18-2-712, R18-2-713, R18-2-715, R18-2-716,

R18-2-717, R18-2-719, R18-2-720, R18-2-721, R18-2-722, R18-2-724, and R18-2-730